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**LETTER OF TRANSMITTAL**  
**SAS Foundations E2/T1 Project**

*Run Date* 17-Jan-08  
*Time* 1:14 PM

Dated: 1/17/08

To: **Pedro Sanchez**  
Caltrans - SAS E2/T1 Foundation Project  
333 Burma Road  
Oakland CA 94607  
Phone: 510-286-0538 Fax:

TRANSMITTAL No: KFM-TRN-000685

Rev: 00

Co/Job # 364-4347

Contract # 04-0120E4

Sub/Supplier:

Sub/Supplier No:

Subject: NOPC 17-011708 and NOPC 18-011708

Special Provis. (SP) REF:

Standard Spec. (SS) REF:

RESUBMITTAL/SUPPLEMENTAL REF:

We are sending the following attached items: ☒ Attached

☐ Via Fax

☐ Contract Plans/Specs

☐ Certs of Compl./Samples

☐ Working Drawings

☐ Drawings/Calculations

☐ Schedule

☐ WQCP and/or Addenda

☐ Change Order

☐ Progress Estimate Request

☐ Weekly Welding Reports

☒ Copy of Letter

☐ Payroll Information

☐ CWR Procedure

Item	Date	Copies	Description	Pages
01	17-Jan-2008	1	NOPC 17-011708 Form CEM-6201A	
02	17-Jan-2008	1	NOPC 18-011708 Form CEM-6201A	

These are transmitted as checked below:

☐ For Approval

☐ For Review/Comment

☐ Return For Correction

☒ For Your Use

☐ As Requested

☐ For Information

Remarks:

CC:

Submitted By:

George Atkinson

(KFM Staff Member - Originator of Transmittal)

Checked & Sent By:

Contract Admin/DCS Staff

FOR STATE USE ONLY	
Received By	(For resident engineer) DATE

TO Pedro Sanchez (resident engineer)	CONTRACT NUMBER 04-0120E4	DATE January 17, 2008	IDENTIFICATION NUMBER 17-011708
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This is an Initial Notice of Potential Claim for additional compensation submitted as required under the provisions of Section 9-1.04, "Notice of Potential Claim," of the Standard Specifications. The act of the engineer, or his/her failure to act, or the event, thing, occurrence, or other cause giving rise to the potential claim occurred on:

DATE: January 17, 2008

The particular nature and circumstances of this potential claim are described as follows:

See attachment "NOPC 17 -011708 -- Nature and Circumstances of Potential Claim.

(attach additional sheets as needed)

*The undersigned originator (Contractor or Subcontractor as appropriate) certifies that the above statements and attached documents are made in full cognizance of the California False Claims Act, Government Code sections 12650-12655. The undersigned further understands and agrees that this potential claim to be further considered, unless resolved, must fully conform to the requirements in Section 9-1.04 of the Standard Specifications and must be restated as a claim in the Contractors written statement of claims in conformance with Section 9-1.07B of the Standard Specifications.*

*Kiewit / FCI / Manson ASV*  
SUBCONTRACTOR or CONTRACTOR  
(Circle One)  
*[Signature]*  
(Authorized Representative)

**For a subcontractor potential claim**

This notice of potential claim is acknowledged, certified and forwarded by

PRIME CONTRACTOR

(Authorized Representative)

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**NOPC 17-011708 -- Nature and Circumstances of Potential Claim**

Concerns expressed by the State and professional surveyors regarding the practicality of the T1 anchor rod, sleeve, and dowel as-built survey requirements described in Special Provision 10-1.31 led Kiewit/FCI/Manson AJV ("KFM") to propose a revised survey plan for this work. This plan was described to the State in KFM letter #355 dated December 20, 2007. KFM performed its as-built survey accordingly and submitted the collected data to satisfy the requirements in Special Provision 10-1.31

The State has acknowledged that a Contract Change Order ("CCO") would be issued in accordance with Standard Specification 4-1.03 that would revise the as-built survey requirements of Special Provision 10-1.31. KFM requests that a CCO to accept the as-built survey data collected and submitted be issued immediately.

Imminent completion of all contract work by KFM and Contract Acceptance by the Department without an approved contract change order for this work gives rise to this NOPC at this time.

FOR STATE USE ONLY	
Received By	(For resident engineer) DATE

TO Pedro Sanchez (resident engineer)	CONTRACT NUMBER 04-0120E4	DATE January 17, 2008	IDENTIFICATION NUMBER 18-011708
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This is an Initial Notice of Potential Claim for additional compensation submitted as required under the provisions of Section 9-1.04, "Notice of Potential Claim," of the Standard Specifications. The act of the engineer, or his/her failure to act, or the event, thing, occurrence, or other cause giving rise to the potential claim occurred on:

DATE: January 17, 2008

The particular nature and circumstances of this potential claim are described as follows:

See attachment "NOPC 18-011708 -- Nature and Circumstances of Potential Claim".

(attach additional sheets as needed)

*The undersigned originator (Contractor or Subcontractor as appropriate) certifies that the above statements and attached documents are made in full cognizance of the California False Claims Act, Government Code sections 12650-12655. The undersigned further understands and agrees that this potential claim to be further considered, unless resolved, must fully conform to the requirements in Section 9-1.04 of the Standard Specifications and must be restated as a claim in the Contractors written statement of claims in conformance with Section 9-1.07B of the Standard Specifications.*

*Kiewit / FCI / Manson A JV*  
SUBCONTRACTOR or CONTRACTOR  
(Circle One)  
*[Signature]*  
(Authorized Representative)

**For a subcontractor potential claim**

This notice of potential claim is acknowledged, certified and forwarded by

PRIME CONTRACTOR

(Authorized Representative)

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Kiewit/FCI/Manson AJV  
Contract 04-0120E4

**NOPC 18-011708 – Nature and Circumstances of Potential Claim**

Kiewit/FCI/Manson AJV (“KFM”) has performed work in accordance with issued but un-approved Contract Change Orders 34 and 34, Supplement 1, at the State’s direction. These change orders have not been approved as of this date.

KFM requests compensation for all work performed as a result of the State’s direction associated with CCO’s 34 and 34 Supplement 1 in accordance with Standard Specification 4-.03.

Imminent completion of all contract work by KFM and Contract Acceptance by the Department without an approved change order for this work give rise to this NOPC at this time.